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Administrative Law, Constitutional Law

Ruskai v. Pistole, No. 12-1392

In this case, petitioner Ruskai cannot pass through some airport security checkpoints under current Transportation Security Administration (TSA) security protocols without submitting to a standard pat-down to look for concealed metallic and nonmetallic weapons. Petition to set aside the decision of the TSA rejecting her argument that it change its protocols is denied, where: 1) the Fourth Amendment does not prevent the TSA from searching for both metallic and nonmetallic weapons on passengers who trigger walk-through metal detector alarms just as it does on passengers who decline to pass through Advanced Imaging Technology scanners; and 2) the selection of a screen designed to detect both metallic and nonmetallic weapons is reasonable, and affect persons with and without disabilities alike, and once TSA determined Ruskai had no weapon, she gained access through the checkpoint irrespective of any aspects of her disability.

Constitutional Law, Property Law & Real Estate

South Commons Condo. Assn. v. Charlie Arment Trucking, No. 13-2244 & 13-2248

In this case, a tornado struck the City of Springfield, Massachusetts, causing a great deal of damage to buildings in the downtown area, including those belonging to plaintiffs. Plaintiffs assert that the damage caused by the tornado did not, however, justify the City's response in razing the buildings without letting the owners show how the buildings could be saved. Plaintiffs allege that the City's decision violates federal due process. Judgment of the district court dismissing the federal suit under 42 U.S.C. section 1983 with prejudice and the pendent state law claims without prejudice is affirmed, where the demolition did not deprive the owners of their property in violation of the federal Constitution's guarantee of due process of law, as Massachusetts state law offers an adequate remedy for whatever wrongful loss the owners may have suffered in consequence of the City's actions.